

>>> "Richard Nowakowski" <rnowakow@hap.org> 7/14/2006 12:35:30 PM >>>
Dear Chief Justice Taylor,

I fully support the jury reforms being proposed in the interest of improving the delivery of JUSTICE , by eliminating current limitations on juries access to evidence, and using common tools (notes) to assist in recall and accuracy during their deliberations. Current learning theory would also support the use of multiple learning media (verbal, notes, visual, etc) resulting in improved retention of the information presented.

In today's world of complex evidence and attorney's vested interest in using confusion and obfuscation to "win" cases rather than achieve justice, anything you can do to help the jurors reach greater clarity in their understanding of evidence is a very positive step.

In reading the summary of the changes, I do have one concern. The concern is allowing the trial judges to express an opinion on the weight of the evidence. I fully support the goal of goal of allowing the trial judge to summarize the evidence for the juries, however I believe that to let the judge express an opinion on the weight of the evidence allows undue influence by the trial judge that can inappropriately sway a jury.

By definition a jury of peers allows for a broad community based interpretation of the evidence presented . Allowing a single judge to express their opinion on the weight of the evidence colors the jury's discussions, and may bring in unintended cultural bias with the judges opinion . For a specific point of evidence, the trial judge may significantly discount the importance, where the discussion in the jury process may give that same point of evidence much greater weight in their deliberations.

Thank you for the opportunity to comment . I look forward to the outcome later this year of the process changes being proposed

Best Regards

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